

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

LARRY D. SMITH, SR.,	:	CIVIL ACTION NO. 1:04-CV-2231
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
ABF FREIGHT SYSTEMS, INC.,	:	
	:	
Defendant	:	

LARRY D. SMITH, SR.,	:	CIVIL ACTION NO. 1:05-CV-1194
	:	
Plaintiff	:	(Judge Kane)
	:	
v.	:	
	:	
ABF FREIGHT SYSTEMS, INC.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 24th day of January, 2006, upon consideration of plaintiff's concurred-in motion (Doc. 21) to consolidate the above-captioned actions, filed in the case docketed as Civil Action No. 1:05-CV-1194, and it appearing that the above-captioned actions involve the same parties, arise from the same underlying events and involve common questions of fact and law,¹ see FED. R. CIV. P. 42(a), it is hereby ORDERED that:

¹ The court previously consolidated Civil Action No. 1:04-CV-2816 with Civil Action No. 1:04-CV-2231. (See Civil Action No. 1:04-CV-2231, Doc. 5 (order of court dated February 22, 2005)).

1. The motion to consolidate (Doc. 21), filed in the case docketed as Civil Action No. 1:05-CV-1194, is GRANTED.
 - a. The above-captioned cases are CONSOLIDATED for all purposes.
 - b. The Clerk of Court is directed to CONSOLIDATE the case docketed as Civil Action No. 1:05-CV-1194 into the case docketed as Civil Action No. 1:04-CV-2231 and to CLOSE the case docketed as Civil Action No. 1:05-CV-1194.
2. All future documents filed in this consolidated case shall be filed under the case docketed as Civil Action No. 1:04-CV-2231.

/s/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge